

U.S. DISTRICT COURT
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/19/2022

LEVIN-EPSTEIN & ASSOCIATES, P.C.

60 East 42nd Street • Suite 4700 • New York, New York 10165
T: 212.792.0046 • E: Joshua@levinestein.com

VIA ECF

The Honorable Gregory H. Woods, U.S.D.J.
U.S. District Court, Southern District of New York
500 Pearl Street
New York, NY 10007

MEMORANDUM ENDORSED

December 16, 2022

Re: *Anacacy v. DRC Group, Inc. et al*
Case No.: 1:22-cv-04239-GHW

Dear Honorable Judge Woods:

This law firm represents plaintiff Steve Anacacy (the “Plaintiff”) in the above-referenced matter.

Pursuant to Your Honor’s Individual Motion Rule of Practice 1(A), this letter respectfully serves as response to Your Honors’ November 14, 2022 Order [Dckt. No. 21].

This letter further respectfully serves as a request for an enlargement of time to serve individual defendants Alex Doljansky and Michael Vaitzman (together, the “Individual Defendants”), to, through and including January 16, 2022 pursuant to Federal Rules of Civil Procedure (“Fed.R.Civ.P.”) 4(m).

As set forth more fully below, Plaintiff’s process servers have unsuccessfully attempted to effect service of the Summons and Complaint on the Individual Defendants. Additional time is needed to locate their whereabouts, and serve them accordingly.

On or around December 3, 2022, Plaintiff’s process servers attempted to serve Michael Vaitzman at the residential address located at 3030 Emmons Ave., Apt 2M, Brooklyn, NY 11235. This attempt was unsuccessful. Plaintiff’s process servers informed the undersigned that they were informed by a “Mr. Newman”, that Mr. Vaitzman does not reside at that address.

On or around December 14, 2022, Plaintiff’s process servers attempted to serve Alex Doljansky at the residential address located at 41 Shade Tree Lane Roslyn, NY 1157. This attempt was unsuccessful. Plaintiff’s process servers informed the undersigned that they were informed that Mr. Doljansky does not reside at that address.

The undersigned is in the process of instructing Plaintiff’s process servers to locate the Individual Defendants’ whereabouts, to effect proper service.

The undersigned anticipates being able to complete service on the Individual Defendants on or before January 16, 2022.

Thank you, in advance, for your time and attention to this matter.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

Jason Mizrahi, Esq.

60 East 42nd Street, Suite 4700

New York, New York 10165

Tel. No.: (212) 792-0048

Email: Jason@levinestein.com

Attorneys for Plaintiff

VIA ECF: All Counsel

Application granted. In light of the representations made by Plaintiff's counsel in this letter, the Court finds a discretionary extension of the time to serve the Individual Defendants in this case appropriate. The Individual Defendants must be served no later than January 16, 2023.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 28.

SO ORDERED.

Dated: December 19, 2022

New York, New York


GREGORY H. WOODS
United States District Judge